

**Notice of Allowability**

Application No.

09/262,172

Examiner

Anh Ly

Applicant(s)

MCGLOUGHLIN, STEVEN D.

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/16/2005.
2. ☒ The allowed claim(s) is/are 1-6,8,10,12,14,16,18-39 and 43-44 (renumbered as 1-35).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

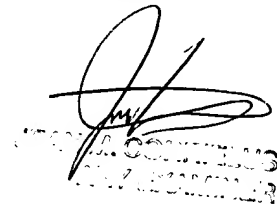
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_



### **DETAILED ACTION**

1. This Office Action is response to Applicant's Appeal Brief filed on 12/16/2005.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. John O'Banion (Reg. No.: 33,201) via telephone @ (916) 498-1010 on MON. 02/27/2006.

The application has been amended as follows:

#### **Claim 1:**

1. (currently amended) An apparatus for accessing and displaying multimedia content, comprising:

(a) database means for storing multimedia content records and associated references to media files for a multimedia presentation; and

(b) software engine means, executable on a computer, for seamlessly accessing a content record in said database means according to a record index value and locating and displaying associated media elements referred to in the said indexed content record;

wherein said software engine means is configured for interpreting embedded instructions within custom tags of said content record that direct access to other content records in said database; and

wherein said software engine means is configured for generating multiple windows and controlling within which window the media elements referred to in said content records are to be displayed;

wherein at least one of said multimedia content records includes at least one custom tag;

wherein said software engine is configured to read said custom tag;

wherein said custom tag instructs said engine to fetch a corresponding multimedia content record from said database;

wherein said software engine reads said multimedia content record; and

wherein said at least said portion of said content page is passed to an interface program for display.

**Claim 2:**

2. (currently amended) An apparatus for accessing and displaying multimedia content, comprising:

a database containing multimedia content records and references to media files for a multimedia presentation;

a software engine, executable on a computer, configured for seamlessly accessing a content record in said database according to a record index value and locating and displaying media elements referred to in ~~that~~ said content record; and

programming executable on said software engine for, interpreting embedded instructions within custom tags of said content record for directing access to other content records in said database, generating multiple display windows within which content records are to be displayed, controlling which window of said multiple windows that the media elements referred to in said content records are to be displayed;

wherein at least one of said multimedia content records includes at least one custom tag;

wherein said software engine is configured to read said custom tag;

wherein said custom tag instructs said engine to fetch a corresponding multimedia content record from said database;

wherein said software engine reads said multimedia content record; and

wherein at least said portion of said content page is passed to an interface program for display.

**Claim 3:**

3. (currently amended) An apparatus for accessing and displaying multimedia content, comprising:

a programmable data processor;

a database containing multimedia content records and references to media files for a multimedia presentation; and

programming associated with said programmable data processor for, accessing, seamlessly, a content record in said database according to a record index value, locating and displaying media elements referred to in said content record, interpreting

embedded instructions within custom tags of said content record for directing access to other content records in said database, generating multiple display windows within which content records are to be displayed,

controlling which window of said multiple windows that the media elements referred to in said content records are to be displayed;

wherein at least one of said multimedia content records includes at least one custom tag;

wherein said software engine is configured to read said custom tag;

wherein said custom tag instructs said engine to fetch a corresponding multimedia content record from said database;

wherein said software engine reads said multimedia content record; and

wherein said at least said portion of said content page is passed to an interface program for display.

**Claim 4:**

4. (currently amended) A computer program for accessing and displaying multimedia content, comprising:

a set of instructions stored on a media accessible by a computer and executable as programming on said computer;

wherein said programming is configured for, seamlessly accessing a content record in a database, according to a record index value, said records containing HTML content and custom tags readable by said programming, wherein one or more of said custom tags point to other content records in the database, locating and displaying

media elements within one of multiple windows generated by said programming and referred to in ~~that~~ said content record;

wherein at least one of said multimedia content records includes at least one custom tag;

wherein said software engine is configured to read said custom tag;

wherein said custom tag instructs said engine to fetch a corresponding multimedia content record from said database;

wherein said software engine reads said multimedia content record; and

wherein said at least said portion of said content page is passed to an interface program for display.

**Claim 5:**

5. (currently amended) A multimedia delivery apparatus, comprising:

(a) a database containing multimedia content records and references to media files for a multimedia presentation;

(b) a software delivery engine associated with said database and executable on a computer for seamlessly displaying content records accessed according to a record index value into said database; and

(c) programming within said delivery engine for, generating multiple display windows, interpreting custom tags embedded in said content records of said database, one or more of said custom tags pointing to other content records in said database, and locating and displaying within one of said multiple display windows, said content record, regardless of whether said media elements are stored on a local storage device or

stored remotely on an Internet server to provide a single seamless multimedia application for displaying media elements;

wherein at least one of said multimedia content records includes at least one custom tag;

wherein said software engine is configured to read said custom tag;

wherein said custom tag instructs said engine to fetch a corresponding multimedia content record from said database;

wherein said software engine reads said multimedia content record; and

wherein said at least said portion of said content page is passed to an interface program for display.

**Claim 6:**

6. (currently amended) A method for displaying multimedia content, comprising:  
storing in a database, multimedia content records and references to media files  
for a multimedia presentation;

seamlessly accessing, using a software engine executable on a computer, a  
content record in said database accessed according to a record index value;

interpreting custom tags embedded in said content ~~records~~ record of said  
database, one or more of said custom tags pointing to other content records in said  
database,

generating multiple display windows; and

locating and displaying media elements referred to in said content record within  
one or more of said multiple display windows;

wherein at least one of said multimedia content records includes at least one custom tag;

wherein said software engine is configured to read said custom tag;

wherein said custom tag instructs said engine to fetch a corresponding multimedia content record from said database;

wherein said software engine reads said multimedia content record; and

wherein said at least said portion of said content page is passed to an interface program for display.

**Claim 7:**

7. (cancelled) (cancel claim 7)

**Claim 8:**

8. (currently amended) An apparatus as recited in claim 7 1:

**Claim 9:**

9. (cancelled) (cancel claim 9)

**Claim 10:**

10. (currently amended) An apparatus as recited in claim 9 2:

**Claim 11:**

11. (cancelled) (cancel claim 11)

**Claim 12:**

12. (currently amended) An apparatus as recited in claim 11 3:

**Claim 13:**

13. (cancelled) (cancel claim 13)



**Claim 14:**

14. (currently amended) ~~An apparatus~~ A computer program as recited in claim 43  
4:

**Claim 15:**

15. (cancelled) (cancel claim 15)

**Claim 16:**

16. (currently amended) ~~An~~ a multimedia delivery apparatus as recited in claim  
45 5:

**Claim 17:**

17. (cancelled) (cancel claim 17)

**Claim 18:**

18. (currently amended) A method as recited in claim 47 6:

**Claim 37:**

37. (currently amended) An apparatus for providing multimedia tutorials,  
comprising:  
a database containing multimedia content records and references to media files  
for a multimedia presentation;  
a software engine, executable on a computer, said software engine seamlessly  
accessing a content record according to a record index value in said database and  
locating and displaying media elements referred to in that said content record;  
programming executable on said software engine for, interpreting embedded  
instructions within custom tags of said content record for directing access to other

content records in said database, generating multiple display windows within which content records are to be displayed, and

controlling which window of said multiple windows that the media elements referred to in said content records are to be displayed;

wherein said software engine does not rely on the execution of individual components or programs which operate independently to display the various media content; and

a user interface upon which content is displayed by said software engine;

a toolbar displayed by said software engine having buttons representing the media elements available within said content record;

wherein said toolbar provides controls for video media elements, audio media elements, and demonstration media elements;

wherein said toolbar comprises sequence control buttons for selecting tutorial positioning within said content records; and

wherein said toolbar comprises a map control button for selecting a map window which displays the current position of the tutorial in the database index as a highlight within said map window, and is configured for allowing the user to select a topic within said map window which the database index is to be adjusted.

**Claim 40:**

40. (cancelled) (cancel claim 40)

**Claim 41:**

41. (cancelled) (cancel claim 41)

**Claim 42:**

42. (cancelled) (cancel claim 42)

**Claim 43:**

43. (currently amended) An apparatus as recited in claim 42 37:

3. Claims 7, 9, 11, 13, 15, 17, 40, 41, and 42 have been cancelled.
4. Claims 1-6, 8, 10, 12, 14, 16, 18-39 and 43-44 are allowed.

**Allowable Subject Matter**

5. The present application has been thoroughly reviewed. Upon searching a variety of databases, the examiner respectfully submits that claims 1-6, 8, 10, 12, 14, 16, 18-39 and 43-44 are allowed in light of the applicants' argument and in light of the prior arts of made record.

6. The following is an examiner's statement of reasons for allowance:

The claimed invention is directed to method, apparatus and computer program for accessing and displaying varied multimedia content, whether stored on local storage devices or stored remotely on an Internet server as one seamless multimedia application.

The closest prior arts, Hoffert et al. (hereinafter Hoffert) of US Patent No.: 5,903,892 teaches a distributed database storing multimedia files or multimedia content for searching and displaying the results based on the context and the content of multimedia files, indexing media files. HTML pages that are referencing media are

scanned for predetermined types of HTML tags. While Loveria, III (hereinafter Loveria) of Pub. No.: US 2004/0090466 A1 teaches multimedia presentation for video, audio, graphics rich text and other textual data windows.

Thus, in combination, Hoffert and Loveria fail to teach "custom tag instructs said engine to fetch a corresponding multimedia content record from said database and at least said portion of said content page is passed to an interface program for display."


These distinct features, in conjunction with all other limitations of the dependents and independent claims render claims 1-6, 8, 10, 12, 14, 16, 18-39 and 43-44 allowable.


7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV or fax to **(571) 273-4039 (Examiner's fax number)**. The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (571) 272-4107 or **Primary Examiner Jean Corrielus (571) 272-4032**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to: **Central Fax Center: (571) 273-8300**

ANH LY   
MAR. 1<sup>st</sup>, 2006

  
JEAN CORRIELUS  
PRIMARY EXAMINER